IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 6TH SEPTEMBER 2007 / 15TH BHADRA 1929

Bail Appl..No. 5250 of 2007()

CRIME NO. 112/07 OF AMBALAVAYAL POLICE STATION
CRMP.958/2007 of DISTRICT COURT, KALPETTA

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PETITIONER/ACCUSED

LIJU, S/O.PATHROSE, AGED 27,
CHOLATTU HOUSE, MANGALAMKARPU,
AMBALAVAYAL AMSOM, S.BATHERY,
WAYANAD DISTRICT.

BY ADV. SRI.N.J.ANTONY

RESPONDENTS: COMPLAINANT/STATE

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1. S.I. OF POLICE, AMBALAVAYAL.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 5250 of 2007

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Dated this the 6th day of September, 2007

O R D E R

Application for regular bail. The petitioner faces allegations under Sections 376 and 313 I.P.C. He allegedly had sexual intercourse with the victim/defacto complainant in February, 2007. In such relationship the victim became pregnant. Miscarriage was attempted in April, 2007. The complaint alleging offences punishable under Sections 313 and 376 I.P.C. was filed long later on 8.7.2007. The petitioner was arrested on 13.7.2007 and he continues in custody from that date.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m. and 12 noon on all Mondays and Fridays for a period of two months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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